

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            ) Case No. 1:23-cv-3130-JRR  
                                )  
DAVID K. MACARTHUR, *et al.* )  
                                )  
                                )  
Defendants.                )  
                                )  
\_\_\_\_\_

**MOTION FOR A STAY IN LIGHT OF  
LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of further reporting in the above-captioned case.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and those appropriations to the Department lapsed. The same is true for the majority of other Executive agencies, including the federal Defendant. The Department does not know when such funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees of the Plaintiff are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of further reporting, *see* ECF. No. 13, Order, until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current reporting deadlines for the parties be extended commensurate with the duration of the lapse in appropriations – i.e., each deadline would be extended by the total number of days of the lapse in appropriations.

5. Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of reporting deadlines in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

6. Defendant Catherine MacArthur did not respond to counsel for the United States' email inquiring into her consent or objection to the requested relief prior to the filing of this motion.

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DATED: October 1, 2025

Respectfully submitted,

/s/Joycelyn S. Peyton  
JOYCELYN S. PEYTON  
Trial Attorney, Tax Division  
U.S. Department of Justice  
Post Office Box 227  
Washington, D.C. 20044  
Tel: 202-514-6576  
Fax: 202-514-6866  
[Joycelyn.S.Peyton@usdoj.gov](mailto:Joycelyn.S.Peyton@usdoj.gov)  
*Counsel for the United States*

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of Defendant's **Motion to Stay** has been made on October 1, 2025 via the CM/ECF system to all parties who have entered an appearance in this suit.

/s/ Joycelyn S. Peyton  
JOYCELYN S. PEYTON  
Trial Attorney, Tax Division  
U.S. Department of Justice